

Amendments to the Drawings:

The attached replacement drawing sheets make changes to Figs. 1, 2A, 2B, 4A, 4B and 4C and replace the original sheets with Figs. 1-4C.

Attachment: Replacement Sheets (6)

REMARKS

Claims 1-24, 28 and 29 are pending. Claims 1, 20, 28 and 29 are amended. It is submitted the Amendments do not narrow the scope of the claims, rather they make explicit that was implicit. Further, Fig. 1 is amended to show reference number 18, the frame described on page 4, last line and Figs. 2A, 2B, 4A, 4B, and 4C as submitted with the April 29, 2003 Amendment and described in the specification amendments submitted herewith. The amendments to the specification are those made in the Amendment filed April 29, 2003, with additional amendments on page 2, line 3 of the corrections and page 5, line 3 of the corrections. Lastly, all six sheets of drawings are submitted as replacement sheets.

Applicant appreciates the courtesies shown to Applicant and Applicant's representative by Examiner Phi during the February 15, 2005 personal interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

In paragraph 2, on page 2 of the Office Action, claims 1, 2, 9, 10, 13-16, 18-24, 28 and 29 were rejected under 35 U.S.C. §102(b) being anticipated by Borkhoff, DE 31 42 690. The rejection is respectfully traversed.

Applicant's invention of claim 1 calls for a reinforced window system for mounting within an opening a wall, the window system comprising a first frame adapted to be fitted to the opening, the first frame is provided with a plurality of fixing members distributed on an inside perimeter of the first frame; a unitary second frame, which is separate from the first frame and is removably installed therein, the second frame carries a reinforced window pane physically secured within the second frame; the second frame is provided with a plurality of support members, all of which are distributed on an outside perimeter of the second frame to face the fixing members of the first frame and to support the second frame when the support members are in engagement with the fixing members; at least some of the fixing members have a securing means for securing a position of the second frame within the first frame.

Applicant's claim 20 calls for a framework for a removable reinforced window system comprising a first frame adapted to be fitted within an opening in a wall; the first frame comprising a plurality of fixing members distributed on an inside perimeter of the first frame; a unitary second frame, which is separate from the first frame and is removably installable therein, the second frame carries a reinforced window pane physically secured within the second frame and is provided with a plurality of support members, all of which are distributed on an outside perimeter of the second frame to face the fixing members of the first frame and to support the second frame by engagement with the fixing members; at least some of the fixing members of the first frame have a securing means for securing a position of the second frame within the first frame.

Applicant's claim 28 calls for a reinforced window system for mounting within an opening in a wall, the window system comprising a first frame adapted to be fitted to the opening; a plurality of fixing members provided on the first frame and distributed on an inside perimeter of the first frame; a unitary second frame, which is separate from the first frame and is removably installable therein; a reinforced window pane physically secured within the second frame; and a plurality of support members, all of which are provided on the second frame and distributed on an outside perimeter of the second frame to face the fixing members of the first frame and to support the second frame when the support members are in engagement with the fixing members, wherein at least some of the fixing members have a securing means for securing a position of the second frame within the first frame and at least some of the support members of the second frame absorb energy associated with a shock wave that strikes the window pane.

Applicant's claim 29 calls for a framework for a removable reinforced window system, comprising a first frame adapted to be fitted within an opening in a wall; a plurality of fixing members provided on the first frame and distributed on an inside perimeter of the first frame; a unitary second frame, which is separate from the first frame and is removably installable therein;

a reinforced window pane physically secured within the second frame; and a plurality of support members, all of which are provided on the second frame and distributed on an outside perimeter of the second frame to face the fixing members of the first frame and to support the second frame by engagement with the fixing members, wherein at least some of the fixing members of the first frame have a securing means for securing a position of the second frame within the first frame and at least some of the support members of the second frame absorb energy associated with a shock wave that strikes the window pane. Borkhoff discloses none of the foregoing apparatuses.

First, all of Applicant's independent claims call for a first frame adapted to be fitted in an opening, and a unitary second frame separate from the first frame that is removably installable in the first frame. As defined in the Office Action, Borkhoff's first frame 2 is a shell that may provide a base frame. However, what is described as the second frame (12, 6) is not installed therein, rather there is some element 4, which appears to be a metal framework, that is installed within the alleged first frame 2. What is identified as the second frame 12, 6 comprises a glass holder 12 that is mounted to the alleged first frame 2 by what is designated an arm portion or support member in the Office Action. A piece 6 is then attached to the outer surface of the first frame 2 by means of screws 13 with the glass held between the glass holder 12 and the piece 6. Thus, what is designated in the Office Action as a second frame is actually two different parts, not a unitary structure, that are attached in two different ways to the alleged first frame 2.

Further, all of Applicant's independent claims call for a plurality of fixing members distributed on an inside perimeter of the first frame, and a plurality of support members, all of which are distributed on an outside perimeter of the second frame to face the fixing members of the first frame and to support the second frame when the support members are in engagement with the fixing members. While one might make an argument that the glass holder 12 does have such a structure, such an argument cannot be made with respect to the piece 6 which is the

second component of the alleged second frame. Further, the alleged second frame is not secured by at least some of the fixing members being provided with securing means for securing the position of the second frame within the first frame because a significant component of the second frame as found in the Office Action, that is, piece 6 must be attached by screws 13 at the outside of the alleged first frame 2 and the element 4 inside the framework of the alleged first frame 2. Although the screws 13 are defined in the Office Action as securing means, they have nothing to do with the alleged fixing member, i.e., hook portion. Thus, they do not disclose the feature as claimed. Further, as can be seen in Fig. 1 of Borkhoff, the alleged fixing member and the support member are not in contact, i.e., they are not in engagement to support the second frame.

At the interview there was considerable discussion of individual words and phrases. In particular, the Examiner alleged that "carries and secured" relating the reinforced window pane to the second frame did not necessarily mean they were attached. To make clear that such is the case, the claims have been amended to indicate that the second frame carries a reinforced window pane that is physically secured within the second frame. Likewise it is explicitly stated the second frame is a unitary frame which is separate from the first frame and removably installable therein. What was alleged to be the second frame of Borkhoff is a two piece element and it is not removably installable therein (in the first frame) as pointed out at the interview.

Lastly there was considerable discussion of the fixing members being provided with, or having, a securing means for securing a position of the second frame within the first frame. As noted above, and as discussed at length in the interview, the securing means or screws 13 of Borkhoff have nothing to do with the identified fixing member. Further, as discussed in detail at the interview and above, Borkhoff's second frame is a two-piece structure with one piece at least on the outside of what is designated the first frame so the second frame cannot be within the first frame.

Because Borkhoff does not literally disclose the claimed invention, a rejection under 35 U.S.C. §102 is inappropriate. Further, for all the foregoing reasons, Borkhoff does not suggest the claimed invention.

Although Applicant has only discussed the independent claims, the applied reference does not anticipate or suggest the dependent claims for all the reasons discussed with respect to the independent claims, and for the additional features recited therein.

At this point the Examiner indicated that the interview must be concluded within approximately 5 minutes. As a result, Applicant and Applicant's representative pointed out the structural differences between Katoh, Guhl and the claimed invention.

In paragraph 3, on page 4 of the Office Action, claims 1, 3-7, 10, 11, 14-16, 18-24, 28 and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by Katoh, U.S. Patent No. 4,248,933. The rejection is respectfully traversed.

Applicant's invention is described above. The reference was applied and addressed in the last Office Action. It still does not anticipate or suggest Applicant's claimed invention. What the Office Action describes as the first frame 5, of Katoh, is in fact the car body 5. What is described as the second frame, which is understood to be 1a1 (not 1o1), or item 1, is a trim strip body member made of resin with a metallic foil cover. A stud 6 is welded to the car body 5 and then formed thereon or mounted thereon is a rubber clip 11. The rubber clip 11 engages with a lip on the trim strip body member 1 called an anchor 1e1. Between the trim strip body member 1 and the car body 5 is a soft plastic layer 3a to preclude an electrochemical reaction between the metallic foil and the car body. At the other end of the trim strip body member 1 is another soft plastic layer 3b. The window glass 8 is then placed between the soft plastic layer 3b and a bonding stopper 10 which extends between the window glass 8 and the car body 5. A bonding agent 9 is then pumped into the gap and seals the glass in place. This is all described in col. 3, line 43 – col. 4, line 27, and col. 4, lines 50-53.

As noted at the interview, if one were to remove the trim strip body member 1, which was designated as the second frame in the Office Action, it would not carry the reinforced window pane physically secured within the second frame. Actually, Katoh says that the bonding agent 9 which is pumped into the gap between the window glass 8 and the car body 5 (called the first frame in the Office Action) seals the glass in place.

Further, nowhere is there disclosed a second frame that is installable in a first frame and secured therein as required in all of Applicant's independent claims. Nor are there any support members all of which are distributed on an outside perimeter of a second frame as what are designated as the support members are in fact the anchor 1e1. The extension 1f1 which does extend outwardly has nothing to do with the rubber clip 11, rather it is in contact with the soft plastic or bonding layer 3a. Thus, Katoh does not literally disclose the claimed invention and a rejection under 35 U.S.C. §102 is inappropriate. Further, for the reasons discussed in this Amendment, and the preceding two Amendments, Katoh does not suggest the claimed invention.

Although Applicant has only discussed the independent claims, the applied reference does not anticipate or suggest the dependent claims for all the reasons discussed with respect to the independent claims, and for the additional features recited therein.

In paragraph 4, on page 7 of the Office Action, claims 1, 3-8, 10, 14, 16, 19-24, 28 and 29 were rejected under 35 U.S.C. §102(b) being anticipated by Guhl, U.S. Patent No. 6,260,251. The rejection is respectfully traversed.

The Office Action alleges that the first frame of Guhl is 102, which is actually a frame portion 102 of a profile 100. There is no discussion of the second portion or sash portion 103. Designated as the second frame in the Office Action is the cladding or bead 109 that retains the window on the sash portion 103. However, this window is not physically secured to the cladding 109, or for that matter to the sash portion 103 which supports the window on the ledge 104.

Guhl's disclosure is directed to a method of forming two parts of a window frame 100 at one time, that is the frame portion 102 and the sash portion 103. The two parts are then cut apart with a router (see Figs. 5 and 6; col. 5, lines 42-55; col. 7, line 50). Thus, normally one would define the first and second frames as being the frame portion 102 and the sash portion 103. The cladding 109 serves the unique purpose of retaining the window or glazing panel 105 on the ledge 104 of the sash portion 103.

The Office Action goes on to define a plurality of fixing members 108, 113, 116. Although 108 does define the cladding attachment portions, 113 is an operator and 116 is a handle for the operator, i.e., the window opening mechanism (col. 8, lines 15 and 16). Thus, 113, 116 fix nothing. As to the allegation that the second frame 109, the cladding, is separate from the first frame and is removably installable therein, such is incorrect. It is very obvious that, if anything, it is primarily installed on what is designated as the first frame 102 but in fact is the sash portion 103.

As noted above, the Office Action also alleges that the second frame 109, that is, the cladding, carries a reinforced window pane that is secured within the second frame. Such is not the case. As noted above, the glazing panel 105 or window, is seated on the ledge 104 (col. 7, lines 51 and 52) of the sash portion 103. The cladding 109 is then attached, by means of the cladding attachment portions 108, to retain the glazing panel 105 on the ledge 104. Thus, there is no reinforced window physically secured within the alleged second frame 109. Further, the portions that engage with the cladding attachment portions 108, found on the cladding 109, are not on the outside perimeter of the alleged second frame 109, rather they are on the inside perimeter as they face toward the window. Lastly, the cladding 109 does not face what is designated as the first frame, that is, frame portion 102. Rather, it faces sash portion 103. Only if one retains the unitary structure of the sash portion 103 and the frame portion 102, could one say that the cladding 109 faces what is alleged to be the first frame. But even so, as noted above,

Guhl does not literally disclose the claimed invention and thus a rejection under 35 U.S.C. §102 is inappropriate. Further, for all the reasons discussed, Guhl does not suggest the invention. Likewise, Guhl does not suggest the features of the dependent claims for all the reasons discussed with respect to the independent claims and for the additional features recited therein. Therefore, it is respectfully requested the rejection be withdrawn.

In paragraph 5, on page 9 of the Office Action, claims 1 and 17 were rejected under 35 U.S.C. §102(b) being anticipated by Guhl. The rejection is respectfully traversed.

Claim 1 has already been addressed in the preceding rejection. Claim 17 depends from claim 1 and thus is allowable over Guhl. However, the alleged concealing panel 107 is not removably secured on the second frame 102 as alleged in the Office Action because 102 was defined as the first frame 102 in the other rejection of claim 1 over Guhl. For one to redefine what is the first and second frame, as has been done in this rejection, is improper. Further, the cover 107 is clearly not attached to the cladding 109, which was previously defined as the second frame. Cover 107 and cladding 109 are mounted to different sides of the profile 100, the cladding being mounted to the sash portion 103, and the cover 107 being mounted to the frame portion 102. Thus, the rejections of paragraphs 4 and 5 are internally inconsistent which indicates that Guhl neither anticipates nor suggests the claimed invention. It is therefore respectfully requested the rejection be withdrawn.

In paragraph 7, on page 9 of the Office Action, claim 12 was rejected under 35 U.S.C. §103(a) being unpatentable over Katoh in view of Pohl et al., U.S. Patent No. 6,455,819. The rejection is respectfully traversed.

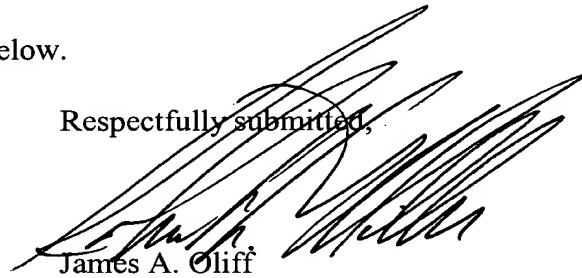
Pohl is only cited for using silicone glue. As it is drawn to a cooking apparatus, it cannot overcome the deficiencies of Katoh with respect to claim 1, and therefore the alleged combination does not suggest the invention of claim 12. Further, it is doubtful one skilled in the

window arts would look to kitchen appliances for a solution to a problem. It is therefore respectfully requested the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-24, 28 and 29 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Petition for Extension of Time
Replacement Sheets (6)

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